

General Information

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Acting Chief, Research and Planning Staff

Employment of Experts

1. Recent developments in the field of expert and consultant employment have accentuated the tenuous circumstances surrounding the employment of some individuals in these categories by CIA.

2. In Public Law 600, 79th Congress, approved August 2, 1946, a general authorization was given Federal agencies and departments in the hiring of Experts and Consultants. Section 15 of Public Law 600 states:

"The head of any department, when authorized in an appropriation or other Act, may procure the temporary (not in excess of one year) or intermittent services of experts or consultants or organizations thereof, including stenographic reporting services, by contract, and in such cases such services shall be without regard to the civil-service and classification laws (but as to agencies subject to the Classification Act at rates not in excess of the per diem equivalent of the highest rate payable under the Classification Act, unless other rates are specifically provided in the appropriation or other law) and, except in the case of stenographic reporting services by organizations, without regard to Section 3709, Revised Statutes, as amended by this Act."

3. The Comptroller General, in a decision rendered on May 20, 1949, B-85959, 28 Comp. Gen. 670, stated that, "The purpose of Section 15 of Public Law 600 is to exempt from the provisions of the civil service and classification laws such expert or consultant services as may be required intermittently or, if not required intermittently, as will be utilized only for a temporary period. That temporary period is fixed by the section as being 'not in excess of one year.' No exceptions to the one-year limit are provided, and no distinction is made between full-time and part-time temporary service."

4. [redacted] provides that, "No expert may be employed in any single capacity in any organizational unit in excess of one aggregate year regardless of the calendar period over which it is served."

5. It is believed that, on the basis of the foregoing, an expert or a consultant might be employed on an intermittent (when actually employed) basis for periods in excess of one year. However, if an expert

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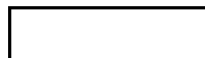
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or a consultant is employed on a temporary (a previously determined fixed tour of duty, whether full- or part-time) basis, his period of service may not exceed one year in the aggregate. Hence, he could be employed on three separate contracts covering periods of four months each, but could not be employed in either of these excepted capacities in the same organizational unit thereafter. Neither could he be employed in another organizational unit if the prior incumbent in the position was either an expert or a consultant. This would apply even though each of these periods occurred in different calendar years.

6. The Personnel Procurement Division employs six expert recruiters whose employment may very likely extend beyond an aggregate year on a continuous basis and also employs as an expert the University Recruitment and Liaison Officer whose appointment has already covered over six months and is expected to continue into 1954. It appears that this Officer and at least some of the expert recruiters are in fact working on a temporary basis, either full-time or part-time, rather than on an intermittent basis.

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